

TEMPORARY

ASSIGNED

NO. 62739

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**APPLICATION FOR PERMISSION TO CHANGE POINT OF
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office JAN 15 1997

Returned to applicant for correction _____

Corrected application filed _____

Map filed FEB 11 1997

The applicant Santa Fe Pacific Gold Corporation, Lone Tree Mine, hereby make application for permission to change the point of diversion of a portion of water heretofore appropriated under Permit No. 59627 (Spacing Rule)

1. The source of water is underground
2. The amount of water to be changed 12.91 cfs
3. The water to be used for dewatering
4. The water heretofore permitted for dewatering
5. The water is to be diverted at the following point SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11, T.34N., R.42E., MDB&M., at a point from which the SW corner of Section 1, T.34N., R.42E., MDB&M., bears N 1°50'36" E at a distance of 1,912.40 feet (WW-19)
6. The existing permitted point of diversion is located within NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11, T.34N., R.42E., MDB&M., at a point from which the NE corner of said Section 11 bears N 44°40'13" E a distance of 946.95 feet
7. Proposed place of use Sections 1, 2, 11, 12, 13, 14, 15, 23 and 24 T.34N., R.42E., MDB&M
8. Existing place of use Sections 1, 2, 11, 12, 13, 14, 15, 23 and 24 T.34N., R.42E., MDB&M
9. Use will be from January 1 to December 31 of each year.
10. Use was permitted from January 1 to December 31 of each year.
11. Description of proposed works Well casing, pump, and distribution system.
12. Estimated cost of works \$1,131,380
13. Estimated time required to construct works WW-19 was drilled to 1,235 feet; fitted with 24" O.D. screen from 587' to 1,231' and is pumped w/ Byron-Jackson 1,500 HP submersible
14. Estimated time required to complete the application of water to beneficial use five (5) years
15. Remarks:

By s/ Cynthia M. DeWeese
P.O. Box 388
Valmy, NV 89438-0388

Compared cl/jr cl/bk

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the point of diversion of a portion of the waters of an underground source as heretofore granted under Permit 59627 is issued subject to the terms and conditions imposed in said Permit 59627 and with the understanding that no other rights on the source will be affected by the change proposed herein. A totalizing meter must be installed and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins or before the Proof of Completion of Work is filed.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The manner of use of water under this temporary permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the groundwater basin.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies, and is specifically issued contingent upon approval by the Nevada Division of Environmental Protection of the dewatering project.

The total combined diversion rate of Permits 54761, 54763, 56406, 56407, 56578, 56951, 57103, 57104, 58385, 58550, 59243, 59244, 59246, 59247, 59248, 59249, 59250, 59251, 59627, 60288, 60289, 60290, 60291, 60292, 60293, 60294, 60295, 60296, 60297, 60298, 60300, 60301, 60302, 60303, 60685, 61285-T, 61286-T, 61630-T, 61839-T, 62739-T, 62740-T and 62741-T will not exceed 41,000.0 gallons per minute or 91.35 cubic feet per second for mining, milling and dewatering purposes.

The total volume of water allowed to be diverted under the above mentioned permits and for the same purposes will not exceed 66,133.0 acre-feet annually.

The total combined consumptive duty for mining and milling purposes under the above permits and any changes of these permits will not exceed 3,144.0 acre-feet annually.

All water diverted but not used for mining or milling purposes will be discharged to the Iron Point Relief Canal via the aqueduct completed in June, 1993.

All water diverted will be measured and reported to the State Engineer on a monthly basis. The report will include the amount of water diverted from each well, the amount of water used for mining and milling purposes, and the amount discharged to the Iron Point Relief Canal. This report shall include the amount of water delivered to the Trenton Canyon Project. This report will be submitted to the State Engineer within 15 days of the last day of the preceding month.

This temporary permit is issued subject to the "Lone Tree Mining, Inc. Unified Monitoring Plan", March 27, 1993.

The State Engineer will retain the right to require additional monitoring over and above the monitoring required in the monitoring plan mentioned and also will retain the right to seek other disposal options of water discharged to the Iron Point Relief Canal.

The permittee, on a schedule acceptable to the State Engineer, will prepare and present an update on the activities of the mine and the monitoring plan on a periodic basis, but not less than two times a year.

(CONTINUED ON PAGE 2)

(PERMIT TERMS CONTINUED)

A "Stipulation to Withdraw Protest" was made and entered into by and between Santa Fe Pacific Gold Corporation, Lone Tree Mine and its successors, and Lander County on August 12, 1994. A second "Stipulation to Withdraw Protest" was made and entered into by and between Santa Fe Pacific Gold Corporation, Lone Tree Mine and its successors, and the Humboldt River Basin Water Authority in August, 1994. The State Engineer may not concur with and is not bound by the terms and conditions of these stipulations to withdraw protest, pursuant to NAC 533.150.

This temporary permit also incorporates the provisions of Amended Order No. 1086, issued by the State Engineer on January 21, 1994.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on March 16, 1998 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 12.91 cubic feet per second.

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed before:

Application of water to beneficial use shall be filed on or before:

Proof of the application of water to beneficial use shall be filed on or before:

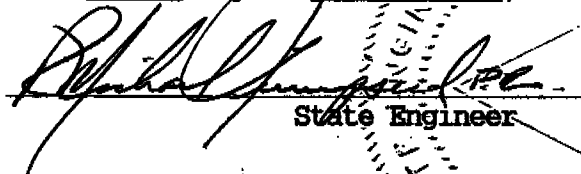
Map in support of proof of beneficial use shall be filed on or before:

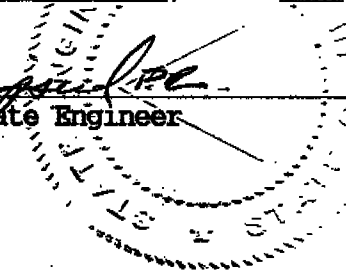
IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 17th day of March, A.D. 1997


State Engineer



EXPIRED

DATE MAR 16 1998

